

EXHIBIT 1

INTRODUCTION

Respondent Robert McAdoo is a member of the Board of Directors of the Ukiah Valley Fire Protection District for the County of Mendocino (the “County”). He assumed office on December 5, 1997. As a board member of the Ukiah Valley Fire Protection District, Respondent is a designated employee of the County, as defined in Section 82019, subdivision (c) of the Political Reform Act (the “Act”),¹ and in the County’s conflict of interest code.

As required by the County’s conflict of interest code, each designated employee of the County is required to file an annual statement of economic interests by April 1st of each year (unless April 1st falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).² On the statement of economic interests, the designated employee must disclose his or her reportable economic interests held during the preceding calendar year.

In this matter, Respondent failed to file a 2001 annual statement of economic interests by the April 2, 2002 due date. Respondent’s statement was due on April 2, 2002 because April 1st fell on a holiday that year.

For the purposes of this Stipulation, Respondent’s violation of the Act is stated as follows:

As a designated employee of the County of Mendocino, Respondent Robert McAdoo failed to file a 2001 annual statement of economic interests by April 2, 2002, in violation of Section 87300 of the Government Code.

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to ensure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be avoided.

In furtherance of this purpose, Section 87300 requires every agency to adopt and promulgate a conflict of interest code. The agency’s conflict of interest code must specifically designate the employees of the agency who are required to file statements of economic interests disclosing their reportable investments, business positions, interests in real property, and other

¹ The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Regulation 18116.

sources of income. Under Section 82019, subdivision (c), and Section 87302, subdivision (a), the individuals who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency, whose position with the agency entails making, or participating in making, governmental decisions that may have a reasonably foreseeable material effect on one or more of the individual's economic interests.

Under Section 87302, subdivision (b), each designated employee is required to file an annual statement of economic interests for each year that the employee remains in office, at a time specified in the agency's conflict of interest code, disclosing his or her reportable investments, business positions, interests in real property and sources of income for the preceding calendar year.

Under Section 87300, the requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.

SUMMARY OF THE FACTS

Respondent Robert McAdoo is a member of the Board of Directors of the Mendocino County Ukiah Valley Fire Protection District. He assumed office on December 5, 1997. As a board member of the Ukiah Valley Fire Protection District, Respondent is a designated employee of the County, and was therefore required by the County's conflict of interest code to file an annual statement of economic interests for the 2001 calendar year by April 2, 2002, since April 1st fell on a holiday that year.

On January 30, 2002, Melissa Mack, the Deputy Clerk-Recorder for Mendocino County sent a letter to Respondent, informing him that his 2001 annual statement of economic interests was due by April 2, 2002. In spite of this reminder, Respondent failed to file a 2001 annual statement of economic interests by the April 2, 2002 due date, in violation of Section 87300.

On April 4, 2002, Ms. Mack sent a second letter to Respondent, advising him that his 2001 annual statement of economic interests was past due, and asking him to file the statement immediately. The letter further advised Respondent that the matter of his failure to file would be referred to the Fair Political Practices Commission (the "Commission"), if the delinquent statement was not received by May 6, 2002. When the statement was not filed in response to her letters, Ms. Mack referred the matter to the Commission's Enforcement Division.

On May 30, 2002, Mary Ann Kvasager, the SEI Coordinator for the Enforcement Division contacted Respondent by telephone. During that conversation, she advised Respondent that his 2001 annual statement of economic interests was past due, and she instructed him to file the statement immediately.

On June 21, 2002, Respondent filed his 2001 annual statement of economic interests.

ADDITIONAL INFORMATION

Respondent filed his 1999 annual statement of economic interests 26 months late and his 2000 annual statement of economic interests 14 months late.

CONCLUSION

This matter consists of one count of violating Section 87300, which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000).

Respondent has an established history of failing to file his statements of economic interests in a timely manner, as addressed above. Due Respondent adverse filing history, it was not appropriate to apply the SEI Expedited Procedures in this matter.

The typical stipulated administrative penalty resolved outside the SEI Expedited Procedures program for a respondent who fails to timely file a statement of economic interests for three consecutive years, and who cooperates with reaching an early resolution of the case, would range between \$700 and \$1,000 for each violation. However, Respondent did not agree to a resolution of this matter until well after he had been served with an Accusation, and therefore an administrative penalty higher than the range typically imposed is appropriate.

The facts of this case therefore justify imposition of the agreed upon penalty of One Thousand Five Hundred Dollars (\$1,500).